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Limited English Proficient Student

CENSUS

THE FALL 2004 ENGLISH LANGUAGE LEARNERS (ELL) CENSUS, SUBMITTED VIA INTERNET, IS AVAILABLE on the Department of Elementary and Secondary Education (DESE) Web site at k12apps.dese.mo.gov/webapps/login.asp. The census was conducted by school districts in Missouri from Oct. 18, 2004, to Nov. 1, 2004. Out of 524 public school districts, 480, or 92 percent, reported back this year. The results show a 26-percent increase from 2003 to 2004 in the total number of ELL students enrolled in 184 Missouri schools. State agencies (including DESE), institutions of higher education (IHEs), local education agencies (LEAs), nonprofit organizations and many other interest groups use the census data for various purposes including the design of educational and service programs, publications, fund allocations and attraction of funds to the state, which includes Title III funds of the No Child Left Behind (NCLB) Act of 2001.

► Definitions

Limited English Proficient (LEP): An individual:

- (A) whose age is 3 through 21;
- (B) who is enrolled or preparing to enroll in an elementary school or secondary school;
- (C) (i) who was not born in the United States or whose native language is a language other than English;
 - (ii)(I) who is a Native American or Alaska native or a native resident of the outlying areas; and
 - (II) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or
 - (iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
- (D) whose difficulties in speaking, reading, writing or understanding the English language may be sufficient to deny the individual:
 - (i) the ability to meet the state's proficient level of achievement on state assessments described in section 1111(b)(3);
 - (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or
 - (iii) the opportunity to participate fully in society.

English Language Learners (ELL): Speakers of other languages who are in the process of learning English. This abbreviation may be used to indicate LEP students.

➤ Parental legal rights

Under Title III of the NCLB Act, schools are required to provide informed parental notification as to why their child is in need of placement in a specialized language-instruction program. Parents have the right to choose among instruction programs if more than one type of program is offered. Parents must be informed no later than 30 days after the beginning of the school year or, if identified during the school year, within two weeks. Parents have the right to immediately remove their child from a program for ELL children. Schools are required to implement effective means of parental outreach to encourage parents to become informed and active participants in their child's participation in the English language-instruction educational program. DESE does not require the district to seek parental authorization to test for ELL classification. Details on parental notification are located in Appendix E of the *Educating Linguistically Diverse Students* handbook.

➤ Foreign-exchange students

The NCLB Act does not discourage or prevent schools from enrolling foreign-exchange students. These programs are valuable and enrich the education of all children involved. Schools have the discretion to enroll or not enroll foreign students even though they may be treated like residents during their attendance year, but the state of Missouri recommends that school districts enroll these students. As temporary visitors who are not entitled to receive educational services, it is understood that the school has no obligation to evaluate foreign-exchange students for English-language proficiency but may do so at their discretion. Assessment results for foreign-exchange students enrolled for less than a year, even if they are limited English proficient, should not be included in the school-level measurement of adequate yearly progress required by the NCLB Act. Schools should review their exchange-student policies.

➤ Summary totals

Limited English Proficient (LEP) students

	1998	1999	2000	2001	2002	2003	2004	Percent change*
Public schools	7,679	8,157	10,238	11,535	13,121	14,855	18,745	26%

*These figures show an increase of more than 25 percent from 2003 to 2004 in the number of ELL students identified.

➤ Regional and factual totals

ELL students in St. Louis and Kansas City Public Schools

	1998	1999	2000	2001	2002	2003	2004	Percent change*
St. Louis	1,529	2,675	2,433	3,004	2,672	2,768	2,905	5%
Kansas City	1,386	1,221	2,068	2,066	2,426	3,102	5,244	69%

*Percent changes refer to the difference between the 2003 and 2004 figures.

Below are a few of the districts that experienced high growth in the number of enrolling ELL students for various reasons, including their location as suburban and/or near processing plant districts and/or near heavy farming areas.

ELL students enrolled in some high-growth districts

School district	2003	2004	Percent change
Monett	273	331	21%
Senath-Hornersville	102	189	85%
Parkway	389	485	25%
Milan	93	192	106%
Marshall	126	154	22%
Hazelwood	409	507	24%
Farmington	9	14	56%
Cassville	50	74	48%
Fox	69	106	54%

Several factors contribute to the continued rise in the number of students from non-English language backgrounds, including:

- growth of poultry-processing, meat-packing and agricultural jobs;
- enrollment of foreign students at institutions of higher education; and
- growth of Missouri economy and globalization of business.

► MELL program

The Title I-C and Title III programs of the NCLB Act have been reorganized in Missouri as the Missouri Migrant Education and English Language Learning (MELL) program. The MELL program is designed to provide extensive technical assistance in a timely manner to school districts, prevent duplication of services and allow for most of the funds to reach the districts with needy ELL children. The reorganization will better serve ELL and migrant students with existing resources. The program does not include direct services to the students. There are nine Regional Professional Development Centers (RPDCs) regions where MELL staff provide the service delivery. Each center (except for two of very low incidence that are staffed with one person fulfilling both roles) is staffed with at least one recruiter and one instructional specialist. The centers are located in Malden (Malden School District), Columbia (Columbia Public Schools), Kansas City (University of Missouri-Kansas City), Kirksville (Truman State University), St. Joseph (St. Joseph Public Schools), Rolla (University of Missouri-Rolla), Monett (Monett School District), St. Louis (Cooperating School District) and Sedalia (Sedalia School District). The MELL director coordinates the nine regional centers with a central office in Jefferson City that is under DESE's contract with the Jefferson City School District. DESE funds the nine MELL centers and the coordinating office through contracts. DESE also allocates funding to school districts for direct services to the targeted students.

► Service expectations

School districts, whether or not they receive funds from the state or federal level, are responsible for providing a language-instruction educational program that increases the English proficiency and academic achievement of ELL students. ELL students are to be held to the state academic content and academic achievement standards established for all children. DESE has no mandated curriculum to serve ELL students. Through the MELL program, DESE can assist districts in developing their local plans for educating ELL students that allow for local variations while maintaining compliance with state and federal requirements. The districts have the students' results in terms of language abilities, which are key factors in determining what kind of services to provide and how often to deliver them to reach the expectations that programs will enable children to speak, write, listen, read and comprehend the English language and meet challenging state standards. Schools are required to conduct a two-year follow-up after a child is no longer receiving services. Expectations and a checklist to help evaluate programs can be found in the *Educating Linguistically Diverse Students* handbook. Think about what can be done for all ELL students and what is specific to each child. Suggestions in the handbook range from instructional approaches to program evaluation and cultural considerations. The bottom line is that the district is also looking at whether or not the ELL student is able to access the school's curriculum with all of its cultural and social implications. School district policies, resources and context will influence the type of services. The district context will determine the approach and content as stated. However, the language-instruction curriculum used must be tied to scientifically based research on teaching ELL students and must have demonstrated effectiveness, which involves the application of rigorous, systematic and objective procedures to obtain reliable and valid knowledge relevant to educational activities and programs. See ESEA section 9101 (37) for the complete definition at www.ed.gov.

► U.S. residency and immigration

The Supreme Court ruled in *Plyler v. Doe* (1982) that legal residency in the United States is not a requirement for enrolling in a public school. Schools should not explicitly or implicitly ask for any information related to U.S. residency, including Social Security numbers, passports, visas and "green cards." Even if volunteered by parents, it is better to politely refuse such information. A student cannot be denied admission to school or participation in a program based on the student's undocumented status. Any such discrimination would be a denial of the equal protection of the law in violation of the 14th Amendment to the United States Constitution.



Missouri Department of Elementary and Secondary Education

Yaya Badji, Supervisor, Federal Discretionary Grants

P.O. Box 480 • Jefferson City, MO 65102-0480

Phone: 573-526-3232 • Toll-free: 1-877-435-7537

Fax: 573-526-6698 • E-mail: yaya.badji@dese.mo.gov



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► Languages spoken

There are some 90 languages spoken by students in Missouri schools. While many of these languages claim only a few speakers, they represent the linguistic and cultural heritage that has always been present in the Midwest. The following chart presents the most commonly spoken languages and their growth over the past five school years:

Top 10 languages spoken in Missouri schools

Language	1999	2000	2001	2002	2003	2004	Percent change*
1. Spanish	3,065	4,625	5,098	6,264	7,545	10,107	34%
2. Bosnian/Serbo/Croatian	1,056	1,661	2,176	2,137	2,139	2,466	15%
3. Vietnamese	938	747	760	768	844	1,080	28%
4. Arabic	382	372	450	398	498	573	9%
5. Somali	508	367	379	437	492	489	-1%
6. Russian	153	232	266	318	347	390	12%
7. Chinese	263	237	335	355	353	364	3%
8. Korean	155	173	190	252	302	350	16%
9. Farsi	--	35	53	95	224	279	25%
10. French	59	80	121	93	110	165	50%

* Percent changes refer to the difference between the 2003 and 2004 figures.

These language totals reflect a couple of factors mentioned above, the influx of refugees and the expansion of labor attractive to migrant workers. It also suggests that some of the more “established” groups are either moving on, or their children are no longer considered ELL, or both.

► Conclusion

The improved data collection of information about ELL students is helping us see where our priorities should lie. Continued rapid growth in some suburban and many rural areas requires that all schools be prepared to meet ELL students’ needs. Districts must adopt a plan to identify, assess and serve ELL students. Refer to the *Educating Linguistically Diverse Students* handbook for details.

Number of LEP Students by County

